

## **REMARKS**

Claims 1, 9, 14 and 24 have been amended. Claims 1-19 and 24-29 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Telephone Conference:**

During a telephone conference on October 27, 2009 between Examiner Won and Applicant's undersigned Attorney, Examiner Won agreed that the above amendments should help advance prosecution of the application. Examiner Won agreed to reconsider the rejection.

### **Section 102(e) Rejection:**

The Office Action rejected claims 14-19 and 24-29 under 35 U.S.C. § 102(e) as being anticipated by Mullins (U.S. Patent 7,103,600). Applicant respectfully traverses this rejection for at least the following reasons.

Mullins does not teach *a Java Data Object (JDO) persistence manager detecting an access to application state data within a server, wherein application state data is accessed by an application executing on the server during the processing of a given one of a plurality of sessions, wherein the application is configured to process requests from a plurality of users as sessions, wherein each session comprises a series of requests from a same user, wherein the application state data comprises session state data for the given one of the sessions.* The accesses to data objects described in Mullins are not accesses performed by an application executing on a server during the processing of a given one of a plurality of sessions, wherein the application is configured to process requests from a plurality of users as sessions, wherein each session comprises a series of requests from a same user. Furthermore, the data objects in Mullins are not session state data for a given

one of the plurality of sessions. Accordingly, Mullins does not teach Applicant's claim 14.

Moreover, Mullins does not teach that *the application is configured to access from the persistent data store application state data for a session that has previously been processed on one of the one or more other servers*. There is no application described in Mullins that accesses application state data from a persistent data store for a session that has previously been processed on another server. In fact, Mullins has absolutely nothing to do with multiple servers processing the same session. Accordingly, Mullins does not teach Applicant's claim 14.

Similar arguments as noted above apply in regard to independent claim 24.

#### **Section 103(a) Rejection:**

The Office Action rejected claims 1-13 under 35 U.S.C. § 103(a) as being unpatentable over Jacobs et al. (U.S. Patent 6,385,643) (hereinafter "Jacobs") in view of Mullins. Applicant respectfully traverses this rejection for at least the following reasons.

The cited art does not teach or suggest *a persistent data store coupled to the cluster, configured to store application state data of the one or more applications of each respective server container, and configured to make the application state data accessible to each of the plurality of server nodes; wherein one of the applications of one of the plurality of server nodes is configured to access from the persistent data store application state data for a session that has previously been processed on another one of the plurality of server nodes*. While Jacobs does describe a clustered system, Jacobs does not describe storing session state data to a persistent data store that makes the session state data accessible to each of the plurality of server nodes of the cluster. Moreover, Jacobs does not teach an application executing on one of the server nodes that accesses from the persistent data store application state data for a session that has previously been processed on another one of the plurality of server nodes. For reasons similar to those

discussed above in regard to the § 102(e) rejection, Mullins also fails to teach these aspects of Applicant's claim 1.

Furthermore, the cited art does not teach or suggest that, *in response to detecting a change in application state data within the server container, the JDO persistence manager is configured to persist only a changed portion of the application state data within the respective server container to the persistent data store*. The Office Action relies on Mullins to teach persisting only a changed portion of the application state data within the respective server container to the persistent data store. However, as shown above in regard to the § 102(e) rejection, the data object that is persisted in Mullins is not application state data comprising session state data for one of a plurality of sessions processed by an application executing on one of a plurality of server nodes of a cluster, wherein each session comprises a series of requests from a same user. Thus, even if Mullins teachings were combined with Jacob's, the combination would not suggest what is recited in claim 1.

Similar arguments as noted above apply in regard to independent claim 24.

## **CONCLUSION**

Applicants submit the application is in condition for allowance, and an early notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-54100/RCK.

Respectfully submitted,

/Robert C. Kowert/  
Robert C. Kowert, Reg. #39,255  
Attorney for Applicant

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

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